

Interview Summary

Application No.

09/428,122

Applicant(s)

Murdin et al.

Examiner

S. Devi, Ph.D.

Art Unit

1645

All participants (applicant, applicant's representative, PTO personnel):

(1) S. Devi (PTO)

(3) _____

(2) Michel Morency

(4) _____

Date of Interview Dec 9, 2002

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: All of record.

Identification of prior art discussed:

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The 35 USC 112, first paragraph, non-enablement rejection of record with regard to the claim language 'at least 75%' sequence homology was discussed. Mr. Morency reiterated the argument that one of skill in the art knows how to obtain polynucleotides with 75% sequence homology and how to test the variants for immunogenicity. Mr. Morency was reminded of the unpredictability factor and the absence of a showing that such variants would, not only retain their immunogenicity, but induce an immune response specific to 'said strain of Chlamydia'. Suggestions were given to use alternative claim language and/or to provide enabling evidence.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

12/09/02
S. DEVI, PH.D.
PRIMARY EXAMINER
ART UNIT 1645

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

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All participants (applicant, applicant's representative, PTO personnel):

(1) S. Devi (PTO)(3) Matthew Pazao(2) Nicholas Triano

(4) _____

Date of Interview Mar 31, 2003Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No. If yes, brief description:Draft after-final amendment sent by facsimile.Claim(s) discussed: All of record.

Identification of prior art discussed:

NoneAgreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The proposed amendments to pending claims were discussed. Applicants submitted that the proposed amendments would overcome the 35 U.S.C first and second paragraph rejections as well as objections of record. Given the statutory deadline of 09 April 2003, Applicants stated that they might consider submitting the amendment along with a request for RCE.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

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